

Rights of Way

United States Department of the Interior
Bureau of Land Management
Washington, D.C. 20240

BLM

Dear Right-of-Way Holder:

The Bureau of Land Management (BLM) recently published (73 FR 65040) new right-of-way regulations (43 CFR Parts 2800, 2880, and 2920), which became effective on December 1, 2008. The major component of the new regulations was the revision of the rent schedule used to determine rental bills for linear right-of-way facilities such as electric transmission lines, telephone lines, and oil and gas pipelines.

Prior to publishing the final rule, the BLM solicited public input with the publication of an advanced notice of proposed rulemaking on April 27, 2006, and the publication of a proposed rule on December 11, 2007. The BLM considered all public comments in the development of the final rule and rent schedule. These regulations were developed in response to Section 367 of the Energy Policy Act of 2005 and were first used in the determination of rental bills due on January 1, 2009.

Our records indicate that you are the holder of a right-of-way grant for a linear facility that is subject to periodic rental payments. The purpose of this mailing is to inform you of what you can expect regarding any rental payments for linear right-of-way grants, which may be due for 2010 through 2015, and where to go for additional information. Briefly, we want you to be aware that:

- The 25% phase-in reduction that was applied to all 2009 bills will not apply to rental bills due in calendar years 2010 and beyond.
- Rental zones will adjust upward by 1.9% each year through 2015.
- Counties may have changed rental zones on the rent schedule for 2011–2015 (either up or down) based on new average per acre land and building values published in the 2007 Census of Agriculture (Census) by the National Agricultural Statistics Service (NASS). The Census was released to the public by NASS in February 2009. These changes may affect the amount of rent payment per bill for 2011–2015 (either up or down) and may in turn influence the rental payment periods that holders would like to pay for bills due on January 1, 2010.
- The BLM will assume that the holder prefers the minimum allowable rental payment period provided by the new regulations [either annual



(if annual rent is greater than \$100 for an individual or greater than \$500 for a non-individual) or 10-year periods if annual rent is \$100 or less for individuals or \$500 or less for non-individuals)].

- In lieu of the minimum rent payment periods, holders may pay at 10-year intervals not to exceed the term of the grant. However, to do so, holders must make written notification (e-mail notification is acceptable) to the BLM Field Office that issues the bills. This notification must occur at least 3 months prior to the bill due date (by October 1, 2009 for bills due on January 1, 2010).

The following documents have been posted to the BLM's Internet site (<http://www.blm.gov/lr2000/rent.htm>) to assist holders in managing their rental bills for 2010 through 2015:

- The linear rent schedule for calendar years 2009–2015
- A list of counties (and other geographical areas) with their assigned per acre zone value for calendar years 2009 and 2010 (based on 2002 NASS Census data) and for calendar years 2011–2015 (based on 2007 NASS Census data)
- A detailed letter to holders explaining these changes and holder options for managing rental bills due for 2010 through 2015

If you have additional questions, please contact Bil Weigand at 208-373-3862 or at bil_weigand@blm.gov.

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